

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
DETROIT DIVISION**

CASE NO.: 2:24-cv-13233

NY BLACK AND GOLD CORPORATION,

Plaintiff,

v.

REMY INDIAN HAIR GOODS INC.,

Defendant.

COMPLAINT FOR COPYRIGHT INFRINGEMENT

(INJUNCTIVE RELIEF DEMANDED)

Plaintiff NY BLACK AND GOLD CORPORATION by and through its undersigned counsel, brings this Complaint against Defendant REMY INDIAN HAIR GOODS INC for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff NY BLACK AND GOLD CORPORATION (“B+G”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute B+G's original copyrighted Works of authorship.

2. B+G is a creative social media and photography marketing agency. Their goal is to elevate brand narratives with custom photography and grow social media accounts through a curated, data-driven approach to management. B+G's full suite of services also includes social media ad management and micro-influencer development, and social content production. They work with brands spanning a diverse range of consumer product goods, from fashion to beauty to wellness and beyond.

SRIPLAW

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3. Defendant REMY INDIAN HAIR GOODS INC (“Remy”) is a premium Remy Hair shop, specializing in 100% Premium Remy Hair Lace fronts, Premium Remy Indian Hair Extensions, Cranial Prosthesis, hair loss solutions and Tape In Extensions, as well as Malaysian Hair, Brazilian Hair, European Hair, Indian Remy Hair and more. At all times relevant herein, Remy owned and operated the internet website located at the URL <https://myindianhair.com/> (the “Website”).

4. B+G alleges that Remy copied B+G’s copyrighted Works from the internet in order to advertise, market and promote its business activities. Remy committed the violations alleged in connection with Defendant’s business for purposes of advertising and promoting sales to the public in the course and scope of the Remy’s business.

JURISDICTION AND VENUE

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. Remy is subject to personal jurisdiction in Michigan.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Remy engaged in infringement in this district, Remy resides in this district, and Remy is subject to personal jurisdiction in this district.

DEFENDANT

9. Remy Indian Hair Goods Inc is a Michigan Corporation, with its principal place of business at 25541 5 Mile Road, Redford, Michigan, 48239, and can be served by serving its Registered Agent, Sharon Spivey, at 27216 W Eight Mile Road, Southfield, Michigan 48033.

THE COPYRIGHTED WORKS AT ISSUE

10. The below table details the Copyright Titles, Registration Numbers and Registration Issue Dates of the works of intellectual property at issue in this case, one of which is shown below, and which are referred to herein as the “Works.” Copies of the Works are attached hereto as **Exhibit 1**. Copies of the Registration Certificates are attached hereto as **Exhibit 2**.

<u>Title</u>	<u>Works</u>	<u>Registration Number</u>	<u>Registration Date</u>
2017_BLACKANDGOLD_PUBLISHED_1_1317-1356		VA 2-205-488	June 10, 2024
1B_1338_Glam_0022		VA 2-205-488	April 23, 2020

<u>Title</u>	<u>Works</u>	<u>Registration Number</u>	<u>Registration Date</u>
1338_613_1338_Glam_0624		VA 2-205-488	June 10, 2020

11. B+G registered the Works with the Register of Copyrights on April 23, 2020 and was assigned registration number VA 2-205-488. The Certificate of Registration is attached hereto as **Exhibit 1**.

12. At all relevant times B+G was the owner of the copyrighted Works at issue in this case.

INFRINGEMENT BY REMY

13. Remy has never been licensed to use the Works at issue in this action for any purpose.

14. On a date after the Works at issue in this action were created, but prior to the filing of this action, Remy copied the Works.

15. On or about January 24, 2024, B+G discovered the unauthorized use of its Works on the Website. Remy used the Works on the Website to advertise their Tape-In Extensions in the colors Platinum, Natural Black, and Beach Blonde.

16. Remy copied B+G's copyrighted Works without B+G's permission.

17. After Remy copied the Works, it made further copies and distributed the Works on the internet to promote the sale of goods and services as part of its regular business activities.

18. Remy copied and distributed B+G's copyrighted Works in connection with Defendant's business for purposes of advertising and promoting Defendant's business, and in the course and scope of advertising and selling products and services.

19. Remy committed copyright infringement of the Works as evidenced by the documents attached hereto as **Exhibit 2**.

20. B+G never gave Remy permission or authority to copy, distribute or display the Works at issue in this case.

21. B+G notified Remy of the allegations set forth herein on April 26, 2024 and May 17, 2024. To date, the parties have failed to resolve this matter.

COUNT I
COPYRIGHT INFRINGEMENT

22. B+G incorporates the allegations of paragraphs 1 through 21 of this Complaint as if fully set forth herein.

23. B+G owns valid copyrights in the Works at issue in this case.

24. B+G registered the Works at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

25. Remy copied, displayed, and distributed the Works at issue in this case and made derivatives of the Works without B+G's authorization in violation of 17 U.S.C. § 501.

26. Remy performed the acts alleged in the course and scope of its business activities.

27. Defendant's acts were willful.

28. B+G has been damaged.

29. The harm caused to B+G has been irreparable.

WHEREFORE, the Plaintiff NY BLACK AND GOLD CORPORATION prays for judgment against the Defendant REMY INDIAN HAIR GOODS INC that:

- a. Remy and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;
- b. Remy be required to pay B+G its actual damages and Defendant's profits attributable to the infringement, or, at B+G's election, statutory damages, as provided in 17 U.S.C. § 504;
- c. B+G be awarded its attorneys' fees and costs of suit under the applicable statutes sued upon;
- d. B+G be awarded pre- and post-judgment interest; and
- e. B+G be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

B+G hereby demands a trial by jury of all issues so triable.

Dated: December 4, 2024

Respectfully submitted,

/s/ Joseph A. Dunne
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